

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed September 10, 2004. Upon entry of the amendments in this response, claims 1 – 7 and 9 – 20 remain pending. In particular, Applicant amends claims 1, 13, 17, 18, and 20 and cancels claim 8 without prejudice, waiver, or disclaimer. Applicant cancels claim 8 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested. In addition, Applicant does not intend to make any admissions regarding any other statements in the Office Action that are not explicitly referenced in this response.

I. Indication of Allowable Subject Matter

The Office Action indicates that claims 2 – 4, 8 – 12, 14 – 16, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant amends claim 1 to incorporate the limitations of claim 8. With respect to claims 14 – 16 and 19, Applicant amends independent claims 13 and 18 from which these claims depend. Because these independent claims are allowable for at least the reasons discussed below, Applicant submits that claims 2 – 4, 8 – 18, 14 – 16, and 19 are currently in condition for allowance.

II. Objections to the Drawings

The Office Action indicates that the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference characters mentioned in the description: 480. In response, Applicant amends FIG. 4C to include item 480 instead of the originally listed item 450. In addition, Applicant amends the written description to refer to item 480 instead of 450 on page 16, beginning last paragraph. Applicant submits that no new matter is added.

III. Rejections Under 35 U.S.C. §102

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

A. Claims 1, 5 – 7, 13, 17 – 18, and 20 are Patentable Over *Liu*

1. Claim 1 is Patentable Over *Liu*

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 6,470,053 to Liu (“*Liu*”). In response, Applicant amends claim 1 to include the limitations of claim 8. Applicant submits that claim 1, as amended is patentable over *Liu* for at least the reason that *Liu* fails to disclose, teach, or suggest “A unified digital subscriber line (DSL) transceiver, comprising... a transmit filter circuit, wherein the transmit filter circuit is coupled to the transmit circuit for filtering undesirable components in asymmetric DSL (ADSL) signals that pass through the unified DSL transceiver, the transmit

filter circuit coupled to the transmit circuit for bypassing symmetric DSL (SDSL) signals that pass through the unified DSL transceiver” as recited in claim 1, as amended.

2. Claim 13 is Patentable Over *Liu*

The Office Action indicates that claim 13 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 6,470,053 to Liu (“*Liu*”). In response, Applicant amends claim 13 to more fully define patentable subject matter. More specifically, claim 13, as amended recites:

A method for using a single transceiver for digital subscriber line (DSL) applications, comprising the steps of:
receiving a signal into a line driver/transformer circuit, the line driver/transformer circuit coupled to a transmit circuit;
propagating the received signal to a receive circuit, the receive circuit comprising ***a switching circuit and a resistor circuit***; and
configuring the switching circuit based on DSL applications.

Applicant submits that *Liu* fails to disclose, teach, or suggest all of the patentable subject matter of claim 13, as amended. Nowhere does *Liu* refer to a “resistor circuit,” nor is there even mention of the word “resistor.” For at least this reason claim 13 is patentable over *Liu*.

3. Claim 17 is Patentable Over *Liu*

The Office Action indicates that claim 17 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 6,470,053 to Liu (“*Liu*”). In response, Applicant amends claim 17 to more fully define patentable subject matter. More specifically, claim 17, as amended recites:

A method for using a single transceiver for digital subscriber line (DSL) applications, comprising the steps of:

transmitting a signal from a transmit circuit to a line driver/transformer circuit ;

propagating the signal from the line driver/transformer circuit, the line driver/transformer circuit coupled to a receive circuit, the receive circuit comprising ***a switching circuit and a resistor circuit***; and

configuring the switching circuit based on DSL applications.

Applicant submits that *Liu* fails to disclose, teach, or suggest all of the patentable subject matter of claim 17, as amended. Nowhere does *Liu* refer to a “resistor circuit,” nor is there even mention of the word “resistor.” For at least this reason claim 17 is patentable over *Liu*.

4. Claim 18 is Patentable Over *Liu*

The Office Action indicates that claim 18 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 6,470,053 to *Liu* (“*Liu*”). In response, Applicant amends claim 18 to more fully define patentable subject matter. More specifically, claim 18, as amended recites:

A unified DSL transceiver comprising:
means for receiving a signal into a line driver/transformer circuit,
the line driver/transformer circuit coupled to a transmit circuit;
means for propagating the received signal to a receive circuit, the
receive circuit comprising ***a switching circuit and a resistor circuit***; and
means for configuring the switching circuit based on DSL
applications.

Applicant submits that *Liu* fails to disclose, teach, or suggest all of the patentable subject matter of claim 18, as amended. Nowhere does *Liu* refer to a “resistor circuit,” nor is there even mention of the word “resistor.” For at least this reason claim 18 is patentable over *Liu*.

5. Claim 20 is Patentable Over *Liu*

The Office Action indicates that claim 20 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 6,470,053 to Liu ("*Liu*"). In response, Applicant amends claim 20 to more fully define patentable subject matter. More specifically, claim 20, as amended recites:

A unified digital subscriber line (DSL) transceiver comprising:
means for transmitting a signal from a transmit circuit to a line driver/transformer circuit ;
means for propagating the signal from the line driver/transformer circuit, the line driver/transformer circuit coupled to a receive circuit, the receive circuit comprising ***a switching circuit and a resistor circuit***; and
means for configuring the switching circuit based on DSL applications.

Applicant submits that *Liu* fails to disclose, teach, or suggest all of the patentable subject matter of claim 20, as amended. Nowhere does *Liu* refer to a "resistor circuit," nor is there even mention of the word "resistor." For at least this reason claim 20 is patentable over *Liu*.

CONCLUSION

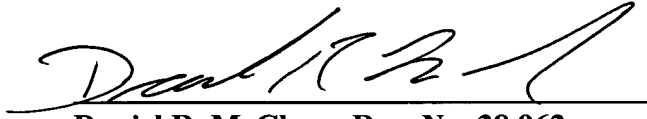
In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1 – 7 and 9 – 20 are in condition for allowance.

Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel R. McClure", written over a horizontal line.

Daniel R. McClure; Reg. No. 38,962

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500